

EXHIBIT "F"

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

JANE DOE, a minor, by and through
Her mother and next friend, MOTHER DOE,

Plaintiff,

v.

Case No.: 1:23-CV-23004

ACADEMIR CHARTER SCHOOLS, INC.,
and SUPERIOR CHARTER SCHOOL
SERVICES, INC.,

Defendants.

_____ /

DECLARATION OF SUSIE BELLO

1. Pursuant to 28, U.S.C. § 1746, I, Susie Bello, hereby declare under penalty of perjury that:

2. I am authorized to make this declaration on behalf of Defendant, Academir Charter Schools, Inc.

3. I am over eighteen years of age and fully competent to testify to the matters stated in this Declaration.

4. The facts stated herein are true and correct and are based upon my personal knowledge, as well as upon the body of knowledge available to me in my capacity as Principal of Academir Charter School West.

5. Beginning in 2021 and at all time material hereto, I have been an employee and Principal at Academir Charter School West ("Academir").

6. During my tenure with Academir, at all times there were Title IX policies and procedures in place.

7. At all times material hereto, Hira Chaudry ("Ms. Chaudry") and Rosemarie

Mortazavi (“Ms. Mortazavi”) received training on sexual harassment along with certificates of completion for this training through ADP.

8. During my tenure with Academir, no complaints were made regarding issues concerning hiring, training and supervision of teachers, and no complaints were specifically made about Ms. Chaudry or Ms. Mortazavi’s supervision of children or their training.

9. It is the policy of Academir to never leave elementary students unattended, and to supervise them at all times and Academir has never received a complaint about students being left unattended.

10. On January 20, 2023, Jane reported to Ms. Mortazavi that another kindergarten student, L.R., had made an inappropriate comment to her. That same day, Ms. Chaudry and Ms. Castellon also spoke with Jane and confirmed that no physical touching occurred.

11. As a result of Jane’s Friday, January 20, 2023 report of the inappropriate comment by L.R., Academir immediately completed an Accident/Incident Report which was later signed by L.R.’s mother and Mother Doe. A true and correct copy of the Accident/Incident Report is attached hereto and incorporated herein by reference as Exhibit 1.

12. The first report that the interaction between Jane and L.R. was alleged to be physical in nature was communicated to Academir (through Mother Doe’s text message to Ms. Chaudry on January 21, 2023) (hereinafter “Alleged Incident”).

13. Academir immediately commenced an investigation of the Alleged Sexual Incident, which included discussions with Melissa Valladares (the assistant principal), Rolando Mir, Zoley Castellon (school front desk administrator), Hira Chaudry (kindergarten teacher), Stephanie Ruiz (school counselor), L.R., Jane Doe, Mother Doe and Father Doe (Jane’s parents). The steps of the investigation are discussed hereinbelow.

14. The following school day was on Tuesday, January 24, 2023, due to the school being closed on Monday.

15. On the morning of Tuesday, January 24, 2023, Academir employee, Hira Chaudry, Jane's kindergarten teacher met with Academir employee, Melissa Valladares, school assistant principal and Mother Doe and Father Doe.

16. During the school day on Tuesday, January 24, 2023, Academir employee Stephanie Ruiz, the school counselor, met separately with both Jane and L.R. to discuss the Alleged Incident. Thereafter, Ms. Ruiz completed a Student Case Management Student Services Form, a true and correct copy of which is attached hereto and incorporated herein by reference as Exhibit 2.

17. On January 20, 2023, I issued a Student Referral Form ("Referral") to L.R. for stating inappropriate words to Jane and this Referral remains on L.R.'s permanent record. A true and correct copy of the Referral is attached hereto and incorporated herein by reference as Exhibit 3.

18. On January 24, 2023, at the end of the school day, Ms. Ruiz and Ms. Valladares had a phone call with Father Doe.

19. On Wednesday, January 25, 2023, I had a telephone call with Father Doe where I discussed the investigation with him, and the lack of any improper behavior seen in the surveillance footage and offered to move Jane to another classroom. Father Doe refused this offer and instead insisted that L.R. be removed from Academir, and that the surveillance footage be released. I informed Father Doe that I was unable to disclose the surveillance footage to protect the privacy of the other students in the class.

20. Also on Wednesday, January 25, 2023, Father Doe contacted the Miami Dade

County Police Department, and the police came to Academir.

21. On January 25, 2023, I met with an officer of the Miami Dade County Police department and was advised by the police that Father Doe did not wish for the police to launch an investigation and send a detective, and that instead, Father Doe only wanted L.R. removed from the school, and wanted to view the surveillance footage. A true and correct copy of the police report is attached hereto and incorporated herein by reference as Exhibit 4.

22. On or around January 24, 2023, I reviewed the entirety of the video surveillance footage ("surveillance footage") from Mrs. Chaudry's classroom for the entire school day recorded on January 20, 2023.

23. The surveillance footage from Mrs. Chaudry's classroom on January 20, 2023, that I reviewed was not edited or altered in any way and is maintained in the ordinary course of business.

24. To this date, the surveillance footage from Mrs. Chaudry's classroom on January 20, 2023, has not been edited or altered in any way.

25. Upon my review of the surveillance footage from Mrs. Chaudry's classroom on January 20, 2023, I did not observe any acts of sexual activity or any inappropriate behavior.

26. The surveillance footage from Mrs. Chaudry's classroom on January 20, 2023, I did not depict any students go underneath the table.

27. The surveillance footage from Mrs. Chaudry's classroom on January 20, 2023, revealed that the students were under constant adult supervision.

28. After reviewing the surveillance footage, I informed Father Doe that it showed nothing remarkable and that there was no indication that Jane's interaction with L.R. was physical in any way.

29. At no time did Jane, Mother Doe or Father Doe ever report to the school that the Alleged Incident occurred on more than one occasion.

30. Upon information and belief, Jane did not return to school after January 25, 2023, and was officially withdrawn from Academir on January 31, 2023. Thereafter, no further investigation by Academir took place.

31. Prior to January 21, 2023, there had been no issues reported to Academir about any issues between L.R. and Jane.

32. Prior to January 21, 2023, Academir had no notice of behavioral issues with L.R. or any indication of the propensity of L.R. to engage in inappropriate behavior or sexual behavior.

33. Prior to the Alleged Sexual Incident, Academir had no reason to anticipate such an incident or any similar inappropriate behavior by L.R. or any other kindergarten student at Academir.

34. Neither Jane, nor Mother Doe or Father Doe filed a formal sexual harassment complaint with Academir at any time.

35. The Alleged Incident was not considered by Academir to be a "Title IX complaint", as it involved only a singular instance of behavior between five-year-old children, with no pattern of repeat conduct, or reason to believe such conduct was severe or pervasive.

36. During the course of Academir's investigation, I advised Mother Doe and Father Doe that I was unable to remove L.R. from Ms. Chaudry's class or remove him from the school, but that I could switch Jane to another class. I also advised them that I was unable to release the surveillance video for student privacy reasons.

37. During the time of Academir's investigation, Academir did not handle the

investigation in a specific way simply because Jane was female.

38. If a male student as reported the same exact situation, the investigation would have been substantially similar to the investigation regarding Jane's claims.

39. At no time was Academir aware of any other claims of sexual harassment or sexual assault by L.R., and was only aware of the Alleged Incident that allegedly occurred January 20, 2023.

40. At no time were any of Jane Doe's educational benefits or opportunities altered or impacted in any way, in fact, Jane was never forced to leave Ms. Chaudry's class or Academir, and no changes were made to her curriculum, benefits or opportunities.

Exhibit 1 – Accident/Incident Report dated January 20, 2023

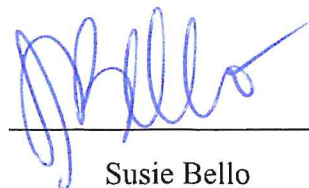
Exhibit 2 – Student Case Management Student Services Form January 24, 2023

Exhibit 3 – Student Referral Form dated January 20, 2023

Exhibit 4 – Miami-Dade Police Department Incident Report dated January 25, 2023

I, Susie Bello, to the best of my knowledge and belief, hereby declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on this 23rd day of September, 2024 by



Susie Bello

EXHIBIT "1"



ACADEMIR CHARTER SCHOOLS, INC.

ACCIDENT/INCIDENT REPORT

☒ Student
☐ Employee
☐ Visitor

☐ Accident ☒ Incident

Name: [REDACTED] Student ID [REDACTED] Grade: KG

Address: [REDACTED] Home [REDACTED] Mobile () SAME

Gender: Male Female Date of Accident/Incident: 1/20/23 Time of Accident/Incident: 2:25 PM

Accident/Incident Details (Describe the incident): Student was told inappropriate language by another student.

Check off the appropriate description

LOCATION	ANATOMICAL LOCATION		NATURE OF INJURY
Bathroom	Abdomen	Foot	Abrasion
Hallway	Ankle	Hand	Bruise
<u>Classroom</u>	Arm	Head	Burn
Field	Back	Knee	Bite-animal
School Bus	Chest	Mouth	Bite-insect
Field Trip Location: _____	Ear	Neck	Bite-human
Parking Lot	Elbow	Nose	Sprain
Other _____	Eye	Shoulder	Break
	Face	Teeth	Other _____
	Finger	Wrist	
		Other _____	

Is there a witness: Yes / No If yes - Name of Witness: _____ Relation to Victim: _____

Witness Statement: _____

Initial First Aid: Yes / No Items used/given: _____

If the individual is a student

Parent Notified: Yes / No Name of Parent/Guardian: [REDACTED] Time of Notification: 2:55 a.m. / p.m.

Parent Response: [REDACTED] - Thank you for letting me know.

Was EMS called: Yes / No If yes, case # _____ Did EMS transport: Yes / No If yes, where? _____

If no, why: _____ (student only) If not transported, why: _____

If no, why: I refuse EMS services _____ (employees / visitors only)

Staff Initials

Follow-Up Contact

Emergency Room: Yes / No Will Accident cause absence from school: Yes / No If so, expected number of days: _____

Signature of person reporting: [REDACTED]	Date: <u>1/24/23</u>
Parent Signature: [REDACTED]	Date: <u>1/24/23</u>
Employee's Signature: <u>[Signature]</u>	Date: <u>1/24/23</u>
Principal's Signature: <u>[Signature]</u>	Date: <u>1/24/23</u>

EXHIBIT "2"



MIAMI-DADE COUNTY PUBLIC SCHOOLS
STUDENT CASE MANAGEMENT
STUDENT SERVICES FORM



SCHOOL NO. 0410

EMPLOYEE NO. 942741

EMPLOYEE NAME S. RU12

STUDENT ID	STUDENT NAME	GR/SECT	SCM# OR SPAR#	DATE			TIME	SERVICE CODE	
				Mo.	Day	Yr.	(Military)		
[REDACTED]	[REDACTED]	<u>K</u>		<u>1</u>	<u>24</u>	<u>23</u>	<u>11:30</u>	<u>1</u>	<u>1</u>
				<u>1</u>	<u>24</u>	<u>23</u>	<u>12:00</u>	<u>1</u>	<u>6</u>
							:		
							:		
							:		
							:		
							:		
							:		
							:		

COMMENTS:
 Student felt uncomfortable due to a verbalized comment in class at dismissal. Student admitted it was only a verbal comment.

REFERRED BY: Admin
 2000715

FOR DATA ENTRY (ATTENDANCE), THEN FILE IN STUDENT CUMULATIVE FOLDER

FM-3673 Rev. (04-08)

EXHIBIT "3"

SCHOOL NO.

04110


 MIAMI-DADE COUNTY PUBLIC SCHOOLS
STUDENT CASE MANAGEMENT REFERRAL

CHECK BOX BELOW FOR DATA INPUT

☐ SCM # 808998☐ SPAR #**SECTION I. TO BE COMPLETED BY REFERRING**STUDENT
NAME

STUDENT ID

HOME
ROOMGRADE
LEVELPERIOD
OF DAYINCIDENT
DATE

Mo. Day Yr.

TIME

(Military)

REFERRED BY:

REFERRED TO:

NARRATIVE: (CLEARLY STATE WHY THE STUDENT IS BEING REFERRED)

PARENT CONTACT: (Circle Yes or No)

1. For This Behavior YES NO
2. For Other Misbehavior YES NO
3. Contact Attempted YES NO
4. Contact Made: YES NO
- 4A. Verbal YES NO
- 4B. Written YES NO

the student made an inappropriate comment to another student during class.

SECTION II. FOR ADMINISTRATOR/DESIGNEE USE ONLYENTER REASON FOR REFERRAL CODES BELOW:
(ENTER NO MORE THAN 4 CODES)

10 19

OTHER INCIDENT INFO = LOCATION:

CONTEXT:

ENTER REFERRAL ACTION INFORMATION BELOW:

DATE	TIME	EMPLOYEE NO.	INITIALS
Mo. Day Yr.	(Military)		
1 20 23	14:00	954501	AB
1 20 23	15:00	954501	AB
1 20 23	15:30	954501	AB

☒
 COMPUTER
RECORDED
REFERRAL
ACTION
CODE
 R 9
 C 6
 2 7

Comments:

mom was notified via phone & in writing. Student was referred to student services.

Agency/Case Number (If Applicable)
2000671**SECTION III. FOR STUDENT SERVICE PROVIDER USE ONLY**

ENTER STUDENT SERVICE INFORMATION BELOW:

☒
 COMPUTER
RECORDED
STUDENT
SERVICE
CODE

DATE	TIME	EMPLOYEE NO.	INITIALS
Mo. Day Yr.	(Military)		
01 24 23	10:30	962741	S.R
01 24 23	11:30	962741	S.R

Comments:

spoke to student regarding inappropriate commentary. Spoke to mother - followed up.

AFTER DATA ENTRY, FILE IN STUDENT'S CUMULATIVE FOLDER

EXHIBIT "4"

Agency Of Occurrence 030	Date Written 01/25/2023	OFFENSE-INCIDENT REPORT MIAMI-DADE POLICE DEPARTMENT	Agency Report Number PD230125029391	
REPORT SUMMARY (ORIGINAL)				
<input type="checkbox"/> L.E. Exempt	<input type="checkbox"/> D.V.	<input type="checkbox"/> Gang Related	<input checked="" type="checkbox"/> Juv. in Report	<input type="checkbox"/> Juv. Warn/Dismiss
		<input type="checkbox"/> Marsy's Law	<input type="checkbox"/> Tourist	
Victims: 0	Offenders: 0	Stolen Vehicles: 0	Offenses: 1	Properties: 0
		SARS: NO	Drive By: NO	
INCIDENT (2636 SW 144TH AVE)				
Original Reported Date WED, 01/25/2023 15:39	Title or Classification CONDUCT INVESTIGATION (NON-CRIMINAL)	Time Dispatched 01/25/2023 15:45	Time Arrived 01/25/2023 16:01	Time Completed 01/25/2023 17:18
Incident From FRI, 01/20/2023 00:00	Incident To WED, 01/25/2023 15:39	District HAMMOCKS		
Incident Location 2636 SW 144TH AVE	City MIAMI	Zip 33175	Grid 1473	Area 1
Business Name/Area Identifier ACADEMIR PRESCHOOL	Forced Entry N/A	Occupancy N/A	Cargo Theft N/A	
OFFENSES				
777.7777(7777) MDPD MISC STATUTE				
1st	Description MDPD MISCELLANEOUS STATUTE		Statute 777.7777(7777)	Subsection 7777
			Ordinance	<input type="checkbox"/> D.V.
	Type OTHER	Action N/A	FDLE/FIBRS 0099	Location Type DAYCARE FACILITY
	Method of Entry		# Prem. Entered 0	
Suspected of Using NOT APPLICABLE		Criminal Activity NONE/UNKNOWN	Bias/Motivation NONE (NO BIAS)	
VICTIM/WITNESS				
1 - REPORTING PERSON-PELAEZ, YORDANIS				
1	V/W Code REPORTING PERSON		Offenses Indicator 777.7777(7777)	
Name (Last, First, Middle or Business)		Synopsis of Involvement/Activity		Victim Type
		OTHER ACTIVITY		ADULT
Address		City, State Zip Country		
Race WHITE	Sex MALE	Date of Birth 06/30/1984	Age 38	Juvenile <input type="checkbox"/>
		Hispanic YES	Ethnicity OTHER HISPANIC	
Residence Type COUNTY	Residence Status FULL YEAR	Extent of Injury		Will victim prefer charges?
Web Site		Email Address		
Phone Numbers				
Type CELL	Phone Number	Extension	Best time to call	
2 - OTHER-BELLO, SUSIE				
2	V/W Code OTHER		Offenses Indicator 777.7777(7777)	
Name (Last, First, Middle or Business)		Synopsis of Involvement/Activity		Victim Type
BELLO, SUSIE		AT WORK		ADULT
Address		City, State Zip Country		
2636 SW 144TH AVE		MIAMI, FLORIDA 33175 US		
Race WHITE	Sex FEMALE	Date of Birth 07/14/1977	Age 45	Juvenile <input type="checkbox"/>
		Hispanic YES	Ethnicity OTHER HISPANIC	
Residence Type COUNTY	Residence Status FULL YEAR	Extent of Injury		Will victim prefer charges?
Web Site		Email Address		
Phone Numbers				
Type BUSINESS	Phone Number	Extension	Best time to call	
	305-485-9911			

Agency Of Occurrence 030		Date Written 01/25/2023		OFFENSE-INCIDENT REPORT MIAMI-DADE POLICE DEPARTMENT			Agency Report Number PD230125029391	
VICTIM/WITNESS								
4 - OTHER-PELAEZ, ALICE								
3		V/W Code OTHER			Offenses Indicator 777.7777(7777)			
Name (Last, First, Middle or Business) [REDACTED]			Synopsis of Involvement/Activity AT SCHOOL			Victim Type JUVENILE		
Address [REDACTED]				City, State Zip Country [REDACTED]				
Race WHITE	Sex FEMALE	Date of Birth [REDACTED]	Age 5	Juvenile <input checked="" type="checkbox"/>	Hispanic YES	Ethnicity OTHER HISPANIC		
Residence Type COUNTY	Residence Status FULL YEAR		Extent of Injury				Will victim prefer charges?	
Web Site			Email Address					
3 - OTHER-UNKNOWN								
4		V/W Code OTHER			Offenses Indicator 777.7777(7777)			
Name (Last, First, Middle or Business) UNKNOWN			Synopsis of Involvement/Activity OTHER ACTIVITY			Victim Type JUVENILE		
Address UNKNOWN				City, State Zip Country UNKNOWN, UNKNOWN XX				
Race UNKNOWN	Sex MALE	Date of Birth Age Range <input type="checkbox"/>	Age 5 TO 6 YRS	Juvenile <input checked="" type="checkbox"/>	Hispanic N/A	Ethnicity UNKNOWN		
Residence Type COUNTY	Residence Status FULL YEAR		Extent of Injury				Will victim prefer charges?	
Web Site			Email Address					
OFFICERS								
Unit: H3109								
1	Agency Code 030	Badge 10193	Title POLICE OFFICER	Name ALMAGUER, N.		Loc Code 07088	Role REPORTING OFFICER	
Supporting Officer(s)								
2	Agency Code 030	Badge 6715	Title POLICE SERGEANT	Name BONILLA, J. I.		Loc Code 07083	Role REVIEWING SUPERVISOR	
ADMINISTRATION								
Clearance Type NO FURTHER ACTION		Clearance Date 02/01/2023 00:00		Exception Type CIVIL OR NON-CRIMINAL CASE			Juvenile/Adult ADULT	
Case Status CLOSED		Assignment Type ASSIGNED INFO		Referred By			Additional Forms	
Reporting Agency MIAMI-DADE		AOA Agency		Other AOA			AOA Related Case	
Original Case Number								

Agency Of Occurrence

Date Written

030

01/25/2023

**OFFENSE-INCIDENT REPORT
MIAMI-DADE POLICE DEPARTMENT**

Agency Report Number

PD230125029391

NARRATIVES**Written By: mdpd\U3010193****NARRATIVE****Date and Time: 1/25/2023 5:44:15 PM**

I WAS DISPATCHED TO INCIDENT ADDRESS, ACADEMIR PRESCHOOL, 2636 SW 144TH AVE IN REFERENCE TO INFORMATION.

REPORTING PERSON [REDACTED] IS THE FATHER OF OTHER [REDACTED]

OTHER (BELLO, SUSIE) IS THE PRINCIPLE OF ACADEMIR PRESCHOOL.

UPON ARRIVAL, CONTACT WAS MADE WITH REPORTING PERSON [REDACTED] WHO STATED HIS DAUGHTER, OTHER [REDACTED] IS HAVING ISSUES WITH ANOTHER UNKNOWN MALE STUDENT, OTHER (UNKNOWN), AND WANTED THE UNKNOWN MALE REMOVED FROM THE CLASS. REPORTING PERSON [REDACTED] STATED HE ALREADY SPOKE WITH THE PRINCIPLE, OTHER (BELLO, SUSIE), ABOUT HIS CONCERNS. REPORTING PERSON [REDACTED] FURTHER STATED HE WAS TOLD HE COULD REMOVE HIS DAUGHTER FROM THE CLASS OR THE SCHOOL IF HE WOULD LIKE TO DO SO.

CONTACT WAS THEN MADE WITH OTHER (BELLO, SUSIE) WHO STATED SHE ADVISED REPORTING PERSON [REDACTED] SHE WILL NOT REMOVE THE UNKNOWN MALE STUDENT FROM THE CLASS. OTHER (BELLO, SUSIE) FURTHER STATED SHE TOLD REPORTING PERSON [REDACTED] HE CAN REMOVE HIS DAUGHTER FROM THE CLASS OR FROM THE SCHOOL IF THAT IS WHAT HE WOULD LIKE.

I ADVISED REPORTING PERSON [REDACTED] I CAN NOT MAKE OTHER (BELLO, SUSIE) TO REMOVE THE UNKNOWN MALE STUDENT.

IT WAS AGREED BETWEEN BOTH PARTIES THAT OTHER [REDACTED] AND OTHER (UNKNOWN) WILL REMAIN IN THE SAME CLASS BUT WILL BE SEPARATED FROM NOW ON.

CASE CARD ISSUED.

BWC.